

REMARKS

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Regarding applicant's submission of an IDS, applicant states that to its knowledge, for FR1022562 - an English Abstract is not available. Regarding GB420628, a copy is submitted herewith and applicant requests its consideration by the Examiner.

The Office Action and prior art relied upon have been carefully considered. In an effort to expedite the prosecution the claims have been rewritten to further emphasize the differences between the invention and the prior art. Further, the new claims are believed to respond to the Examiner's rejection of claims 35 and 37 on the basis of 35 USC 112.

Claims 27-32, 34, 35, 37-42, 44-51, 53, 54, 61 and 62 are rejected under 35 USC 102(e) as anticipated by Matheson 2004/0178168. Claims 33, 36, 43, 52, 55-57 and 59 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Matheson.

Matheson is the applicant's prior invention and in effect, the present application deals with an improvement in that it provides a practical automatable apparatus and method for carrying out the generalized method disclosed in the reference. The claims of the present amendment define a novel combination of main elements and steps of the present invention that are neither anticipated nor suggested by the reference.

Claims 58 and 60 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The present amendment is deemed to place all the remaining claims in condition for allowance.

In view of the above, consideration and allowance are, therefore, respectfully solicited.

Application No. 10/541,582
Amendment dated September 18, 2008
Reply to Office Action of July 2, 2008

Docket No.: 21854-00060-US1

In the event the Examiner believes an interview might serve to advance the prosecution of this application in any way, the undersigned attorney is available at the telephone number noted below.

The Director is hereby authorized to charge any fees, or credit any overpayment, associated with this communication, including any extension fees, to CBLH Deposit Account No. 22-0185, under Order No. 21854-00060-US1 from which the undersigned is authorized to draw.

Dated: September 18, 2008

Respectfully submitted,

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